

REMARKS

Claims 1 to 8 are withdrawn.

The Examiner objected to claims 1-8 and 11 under U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,983,680 to Del Nin.

Claims 9 and 10 are amended, and claim 10 remains unchanged.

Accordingly, claims 1 to 8 have since been withdrawn and otherwise incorporated into an amended independent claim 9, consolidating all subject matter of previous claims 1 to 8. Dependent claim 10 remains unchanged, and claim 11 is amended to now depend on claim 10.

This application suggests novel improvements not contemplated by Bogenberger nor Del Nin.

The Examiner had objected to claims 9 and 10 pursuant to 35 U.S.C. 103(a) as being obvious and therefore unpatentable over Del Nin's U.S. Patent Number 5,983,680 in view of U.S. Patent Number 1,203,965 to Bogenberger.

The subject matter of previous claims 1 to 8 now consolidated into amended independent claim 9 is directed to the feature as best seen in Figure 2 of the present application that the hollow-sleeve portion of bayonette latch 44 contains a C-shaped aperture 50 through which knob 48 on vertical deadbolt 26 is received in the upper arm 52 of C-shaped aperture 50 to adjust the extent to which vertical deadbolt 26 penetrates aperture 30 in floor-plate 28, providing the user with novel option to allow partial opening of door 4 within limits allowed by aperture 30 in floor-plate 28. This feature is specifically recited in amended claim 9 as follows:

a first portion of the aperture, into which the bolt is extendable through the elongate opening in the plate, has a first depth;
a second portion of the aperture into which the bolt is extendable through the enlarged opening in the plate, has a second depth;
the second depth is greater than the first depth;
in the first engaged position, the bolt extends into said aperture to a first engaged depth less than or equal to the first depth of the aperture; and
in a second engaged position, the bolt extends into said second position of the aperture to a second engaged depth greater than the first depth of the aperture,
such that, when the bolt is in said first engaged position, the door is openable by a predetermined amount, and when said bolt is in said second engaged position, the door is closed.

The applicant respectfully submits that Bogenberger does not teach this feature of the aperture having a first depth and a second depth with the door being closed when the bolt is in a second engaged position in which the bolt extends into the second deeper portion of the aperture. Accordingly, the herein application contains additional, novel partial door-locking options beyond those suggested by Bogenberger.

The applicant further submits that - to the extent that such novel partial door-locking option is already suggested by Del Nin - Del Nin himself, an inventor with ordinary skill in the art at the time, himself failed to ever suggest repositioning his C-shaped opening **88** from sleeve **84** onto actual lock-box **74** so as to provide the following novel benefits not considered at the time.

1) Del Nin's improved invention now works with both left- and right-opening doors.

More specifically, Del Nin's door-locking device, as illustrated, fit only left-opening doors. To the extent that such invention could be modified to fit right-opening doors too - at the very least, users could not use the identical device on both left and right-opening doors.

From a practical perspective, users could not necessarily remove one Del Nin door-locking device from one home and install the identical device in their new home whose door may open from the opposite direction.

From a marketing standpoint, stores selling Del Nin's door-locking invention must inconveniently stock separate left and right-side devices rather than the improved ambidextrous invention taught by Del Nin's new application herein.

2) Del Nin's improved invention can no longer be manually disengaged from the floorplate.

Otherwise, new combination of squared-off gear **36**, smaller gear **38**, and bolthead **42** traveling along horizontal aperture **46** so as to move raise/lower bayonette latch **44** holds now serves to prevent vertical deadbolt **26** from being manually lifted up from its locked position in aperture **30** of floor plate floor-plate relocation of C-Shaped opening **88** from sleeve **84** onto actual lock-box **74**, such added security feature not suggested by Del Nin's original invention.

Finally, the applicant respectfully submits that he himself - a patented inventor of at least ordinary skill in the art - did not at the time contemplate strengthened modification of his previous invention to include new bolthead **42** travelling horizontal aperture **46** on latch **44** to better raise/lower vertical deadbolt **26** in/out of floor-plate aperture **30**, thereby minimizing size of the newly-ambidextrous lock-box, and providing additional reinforcement for both knob **48** and C-shaped aperture **50**.

Conclusion:

The applicant respectfully submits that door locks and arrangements for locking doors is a very crowded art, that a person skilled in the art would have no basis for combining the teachings of Bogenberger and Del Nin in the manner suggested, and that the present invention is therefore not to be considered in hindsight.

The applicant himself, ordinarily skilled in the art, upon applying for his original Del Nin patent, failed to appreciate novel improvements for significant strengthening of the formerly-exposed C-shaped aperture/knob area, for minimizing unsightly size/cost of the lockbox, and for allowing one single identical door-locking device to accommodate both left and right-opening doors to the benefit of all consumers, manufacturers, and vendors alike. Consistent with novelty of such improvements lies fact that neither Bogenberger nor Del Nin even suggest such practical difficulties to be overcome.

Accordingly, this applicant hereby submits that any or all of amended claims 9, 10, and 11 recite subject of patentable merit, and favorable consideration and passing of this application to allowance is respectfully requested.

Respectfully Submitted,



DEL NIN, LOU F.

Lou Del Nin
c/o Suite 720
40 Sheppard Ave. West
Toronto, Ontario M2N 6K9
Canada

Tel: (416) 590-1900
Fax: (416) 590-1600